

**ENTERED**

August 25, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

UNITED STATES OF AMERICA

§

v.

§

No. 2:22-MJ-00944-01

§

JORGE ALBERTO BARRIENTOS

§

§

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL**

A detention hearing was held today in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The Court finds that detention of Defendant Jorge Alberto Barrientos pending trial in this case is appropriate. There are no conditions or combination of conditions that would reasonably assure the appearance of the Defendant as required and the safety of the community.

I adopt the findings and conclusions contained in the Pretrial Services Report. The evidence against Defendant in this criminal case is strong. First, I find that Defendant poses a significant risk of nonappearance in this case. Although Defendant is a lifelong resident of Edinburg, Texas, he lacks verifiable and legitimate employment. Further, Defendant has strong ties to a foreign country. Defendant's parents are both citizens of Mexico, and Defendant's financial resources indicate an ability to abscond the short distance to Mexico or otherwise flee the district. Defendant also committed this offense while on bond for another offense, which indicates an inability or unwillingness to abide by the law while on release.

I further find by clear and convincing evidence that Defendant's release would pose a danger to the community. Defendant has been charged pursuant to 8 U.S.C. § 1324, a serious felony offense, and was caught transporting minors. Moreover, Defendant has a concerning criminal record. Defendant was recently apprehended for alien smuggling in January 2021.

Defendant has been convicted twice for theft, and has three convictions in 2020 for assault causing bodily injury. In addition, Defendant is an admitted member of the Paisas Prison Gang. Collectively, Defendant's serious pattern of criminal behavior and gang involvement strongly counsels against his release pending trial. After considering the factors set forth in 18 U.S.C. § 3142, I find that there is no condition or set of conditions that would adequately assure Defendant's presence at trial, or that would adequately assure the safety of any other person or the community.

Defendant is committed to the custody of the United States Marshal or designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SIGNED on August 25, 2022.



MITCHEL NEUROCK  
United States Magistrate Judge